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L FOR KENNETH PROPP AND M. GUILANI; DOJ FOR KENNETH J.
HARRIS, P. REEDY, AND E. CRAIG

E.O. 12958: N/A

TAGS: CJAN KCRM FR

SUBJECT: PETERSON CASE: FRENCH MOJ RESPONSE TO COOK COUNTY,
ILLINOIS STATE'S ATTORNEY

REF: A. PARIS 4456

1B. STATE 146715

11. (SBU) Embassy received a response from Jean-Marie Huet, A/S-equivalent for Criminal Affairs at the Ministry of Justice, on December 10, to the Office of the State's Attorney for Cook County, Illinois's request (reftel B) that the French government reconsider the nationality claim of Hans Peterson, wanted in Illinois for the October 2006 murder of Dr. David Cornbleet. The letter, dated November 22, was transmitted to the Embassy by the MFA's Americas Bureau. As expected, the GOF continues to deny Peterson's extradition to the U.S., claiming that French law does not allow for the extradition of its nationals beyond EU borders. The French judiciary has initiated its own prosecution of the case, and asks in the letter for U.S. assistance in completing the investigation. An informal translation of the letter is contained in paragraph two. A copy of the original text has been e-mailed to State's France desk and the Office of the Legal Advisor. We understand the original was sent via postal service to the Office of the State's Attorney for Cook County, Illinois.

12. (SBU) Embassy's informal translation of the Huet letter:

Mr. Prosecutor,

Your letter dated September 24 was received with the greatest attention.

The case which you discuss is particularly distressing and we agree that it is highly likely that Mr. Hans Peterson came to France in order to avoid the American justice system, and we deplore this action.

Concerning the possibility of extradition, I assure you that we have not spared any effort to find a solution which responds to your perfectly legitimate request.

At the same time, as a result of French legislation as well as the stipulations in the U.S./France bilateral extradition Treaty, such a result is not foreseen.

In fact, as you know, Mr. Hans Peterson has possessed French nationality since his birth and his presence on French territory does not allow us any other choice but to declare the impossibility of his extradition.

Nevertheless, I hope to underline here the agility with which the French justice system has responded in placing Hans Peterson into preliminary detention since August 8, 2007. An official investigation has begun based on the following

charges: murder accompanied by, preceding, or following acts of torture or barbarism.

I can also inform you that the prosecuting magistrate has already prepared an international letter rogatory addressed to your office, which you should receive in the briefest time possible through the Department of Justice. In the framework of international judicial cooperation we will ask for your permission to authorize a French examining magistrate to travel to Chicago to attend to the execution of this letter rogatory under your care.

It is in all of our interests, and notably in the interest of the family of the deceased, that Mr. Peterson be held accountable for his acts before the justice system. This day of reckoning, to which I attach the greatest importance, is tied to the judicial cooperation between our two countries which have always been frank and loyal and find in this case a way to demonstrate the strength of that relationship.

I assure you, Mr. Prosecutor, of my most distinguished consideration.

Signed,
Jean-Marie Huet
13, place Vendome
75042 Paris Cedex 01

End Text

Please visit Paris' Classified Website at:
[http://www.state.sgov.gov/p/eur/paris/index.c fm](http://www.state.sgov.gov/p/eur/paris/index.cfm)

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